

**REMARKS**

Claims 1-67 are pending. The Office Action dated June 9, 2005 has been carefully considered. Claims 13-23, 34-43, 54-63, 65 and 67 are provisionally withdrawn from consideration in this Response. Reconsideration and allowance are respectfully requested in light of the following remarks.

Claims 1-67 stand restricted under 35 U.S.C. § 121. The Examiner has identified three (3) groups of Claims, Group I, Claims 1-12, 24-33, 44-53, 64 and 66, and Group II, Claims 13-23, 34-43, 54-63, 65 and 67. Applicant elects, with traverse under 37 C.F.R. § 1.143, the Claims of Group I, Claims 1-12, 24-33, 44-53, 64 and 66, to prosecute in the present Application as required by the Examiner.

Applicants respectfully submit that the inventions of Group I and Group II are not distinct under 37 C.F.R. § 1.141(b); M.P.E.P. § 806.05(e). For example, the method for packaging at least one microscopic device of Claim 1 is parallel to the apparatus for packaging at least one microscopic device of Claim 13. Accordingly, the method of Claim 1 results in the apparatus of Claim 13. The apparatus of Claim 13 correspondingly practices the same process as Claim 1. This direct relationship between Claims 1 and 13 results from such Claims reciting substantially mirrored apparatus and method limitations, as shown below. Applicants respectfully submit that the inventions of Group I and Group II involve the same process of packaging at least one microscopic device due to the parallel limitations of the apparatus claims of Group II and the method claims of Group I.

**CLAIM COMPARISON**

**CLAIM 1**

--A method for packaging at least one microscopic device, comprising:

--applying a sacrificial material to at least one microscopic device;

--applying a layer of structural material adjacent the sacrificial material, the layer of structural material forming a housing adjacent at least a portion of the sacrificial material;

--creating one or more apertures in the housing of structural material to expose at least a portion of the adjacent sacrificial material;

--removing the sacrificial layer, wherein the housing of structural material with at least one aperture remains;

--depositing a protective material adjacent the housing of structural material overlaying at least one aperture of the housing; and

--curing the protective material.

**CLAIM 13**

↔ An apparatus for packaging at least one microscopic device, comprising:

↔ means for applying a sacrificial material to at least one microscopic device;

↔ means for applying a layer of structural material adjacent the sacrificial material, the layer of structural material forming a housing adjacent at least a portion of the sacrificial material;

↔ means for creating one or more apertures in the housing of structural material to expose at least a portion of the adjacent sacrificial material;

↔ means for removing the sacrificial layer, wherein the housing of structural material with at least one aperture remains;

↔ means for depositing a protective material adjacent the housing of structural material overlaying at least one aperture of the housing; and

↔ means for curing the protective material.

Applicants do not believe that any fees are due; however, in the event that any fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and

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to credit any overpayment made, in connection with the filing of this paper to Deposit Account No.  
50-0605 of CARR LLP.

Should the Examiner deem that any further amendment is desirable to place this  
application in condition for allowance, the Examiner is invited to telephone the undersigned at  
the number listed below.

Respectfully submitted,

CARR LLP

  
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